

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS**

LEONARD A. SZPLETT,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 1:19-cv-02500
	)	
KENCO LOGISTIC SERVICES, LLC, a	)	Judge Gary Feinerman
Tennessee Limited Liability Company, Mars,	)	Magistrate Judge Young B. Kim
Inc., The Hartford, DAVID JABALEY, MARIO	)	
LOPEZ, TAMMI FOWLER, PAULA HISE,	)	
TRACE SPIER, ROBERT COFFEY, TODD	)	
MOORE, JAY ELLIOT. DAVID CAINES,	)	
MICHAEL MANZELLO, DAVID CRAWLEY,	)	
and KELVIN WALSH,	)	
	)	
Defendants.	)	

**INITIAL STATUS REPORT<sup>1</sup>**

Defendants, by and through undersigned counsel, submit the following Initial Status report:

**A. Nature of the Case**

1. Attorneys of record, and lead trial counsel, for each party.

**Plaintiff Leonard Szplett** – *pro se*  
3421 W. 1500 North Rd.  
Kankakee, IL 60901

**Defendant, The Hartford**  
Donald Murday (lead trial counsel)  
Joseph Jeffrey  
Chittenden, Murday & Novonty  
303 W. Madison St., Suite 1400  
Chicago, IL 60606

**Defendants Mars, Inc., Robert Coffey and Todd Moore**  
Tom Davies (lead trial counsel)  
Kimberly Overbaugh

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<sup>1</sup> Defendants provided a copy of the Initial Status Report to Plaintiff via email but did not receive a response as of the time that the report is being filed.

Harmon Davies  
2306 Columbia Ave.  
Lancaster, PA17603

**The Kenco Defendants -**

Jody Moran (lead trial counsel)  
Julia Argentieri  
Jackson Lewis P.C.  
150 N. Michigan  
Suite 2500  
Chicago, IL 60601

2. Basis for federal jurisdiction. **Federal Question (28 U.S.C 1331)**
3. Nature of the claim(s) and counterclaim(s), including the amount of damages and other relief sought. **42 U.S.C 1981 Discrimination and RICO Civil Conspiracy 18 U.S.C. 1962**
4. Whether the defendant will answer the complaint or, alternatively, whether the defendant will otherwise plead to the complaint. **Defendants filed Motions to Dismiss on 7/8/19**
5. Principal legal and factual issues. **Whether Complaint is Time-Barred; Whether Complaint Violates Short, Plain Statement Requirements Under Federal Rules**
6. Which defendants have been served with process, which defendants have not been served, and the status of efforts to effect service on the unserved defendants. **All Defendants have appeared with the exception of Mario Lopez. The Kenco Defendants are in the process of reaching out to Mr. Lopez to offer representation.**

**B. Proceedings to Date**

1. Summary of all substantive rulings (including discovery rulings) to date. **N/A**
2. Description of all pending motions, including date of filing and briefing schedule. **Motions to Dismiss filed by Defendants on July 8, 2019. Briefing schedules not yet set.**

**C. Discovery and Case Plan**

1. Summary of discovery, formal and informal, that has already occurred. **Defendants Believe That Discovery is Premature Because Pending**

**Motions Could Dispose of Case in Entirety. Defendants Propose That The Parties Should Re-Visit the Setting of a Discovery Plan If the Complaint or Any Portions Thereof Survive Rule 12(b)(6) Motion Practice.**

2. Whether discovery will encompass electronically stored information, and the parties' plan to ensure that such discovery proceeds appropriately.
3. Proposed scheduling order.
  - a. Deadline for Rule 26(a)(1) disclosures, or why Rule 26(a)(1) disclosures are not appropriate.
  - b. Deadline for issuing written discovery requests.
  - c. Deadline for completing fact discovery.
  - d. Whether discovery should proceed in phases.
  - e. Whether expert discovery is contemplated and, if so, deadlines for Rule 26(a)(2) disclosures and expert depositions.
  - f. Deadline for amending the pleadings and bringing in other parties.
  - g. Deadline for filing dispositive motions.
4. Whether there has been a jury demand.
5. Estimated length of trial.

**D. Settlement**

1. Describe settlement discussions to date and whether those discussions remain ongoing. **N/A**
2. Whether the parties request a settlement conference. **Not at this time.**

**E. Magistrate Judge**

1. Whether the parties consent to proceed before a magistrate judge for all purposes. **The Parties Do Not Consent to Proceed Before a Magistrate Judge for all purposes at this time.**
2. Any particular matters that already have been referred to the magistrate judge, and the status of those proceedings.

DATED: July 10, 2019

Respectfully submitted,

By: /s/ Jody Wilner Moran

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Julia P. Argentieri  
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Chicago, IL 60601  
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**CERTIFICATE OF SERVICE**

I, Julia P. Argentieri, an attorney, hereby certify that on July 10, 2019, I electronically filed a copy of the foregoing **INITIAL STATUS REPORT** with the Clerk of the Court using the CM/ECF system. I further certify that a copy of the foregoing has been mail and email to the following non-ECF participant:

Leonard Szplett  
3421 W. 1500 NW Road  
Kankakee, IL 60901  
[Stkbnd2000@aol.com](mailto:Stkbnd2000@aol.com)

By: /s/ Julia P. Argentieri  
One of the Attorneys for the Kenco  
Defendants